

directions for use since it failed to state the frequency with which penicillin in combination with the article should be injected.

DISPOSITION: February 19, 1949. Pleas of not guilty having been entered, the case came on for trial before the court without a jury on February 16, 1949. At the conclusion of the trial, the court returned a verdict of not guilty.

2692. Misbranding of benzedrine sulfate tablets and thyroid tablets. U. S. v. Ray's Pharmacy, Ray S. Gresham, and Ben B. Western. Pleas of nolo contendere. Fine of \$250 against pharmacy and \$125 against each individual. (F. D. C. No. 25323. Sample Nos. 26387-K, 27023-K.)

INFORMATION FILED: On or about November 9, 1948, Eastern District of Missouri, against Ray's Pharmacy, a partnership, Macon, Mo., and Ray S. Gresham and Ben B. Western, members of the partnership.

INTERSTATE SHIPMENT: On or about February 19 and 24, 1948, from Philadelphia, Pa., and Tuckahoe, N. Y., of quantities of *benzedrine sulfate tablets* and *thyroid tablets*.

LABEL, WHEN SHIPPED: "Benzedrine Sulfate Tablets [or "Thyroid, U. S. P. Compressed"] * * * Caution: to be dispensed only by or on the prescription of a physician."

ALLEGED VIOLATION: On or about April 26, 1948, while the drugs were being held for sale after shipment in interstate commerce, the defendants caused a number of tablets of the drugs to be removed from the bottles in which they had been shipped, to be repacked into boxes, and to be sold to various persons without a prescription, which acts of the defendants resulted in the tablets being misbranded. The repackaged tablets were labeled "Rays Benzidrine Sulfate 5 Mg." and "B & W Thyroid 1 grain."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the boxes containing the repackaged tablets bore no labeling containing directions for use; Section 502 (b) (1), the label of the repackaged tablets bore no statements containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (b) (2), the label of the repackaged tablets bore no statements of the quantity of the contents.

DISPOSITION: May 23, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against the pharmacy and \$125 against each individual.

2693. Misbranding of seconal sodium pulvules. U. S. v. Keene Pharmacal Co. (Harold Lloyd's Prescriptions), and Harold A. Lloyd, John M. Hilsher, and Percy L. Stogsdill. Pleas of nolo contendere. Corporation fined \$200 on count 1 and total of \$500 on counts 2 to 6; payment of \$500 suspended and corporation placed on probation for 1 year. Each individual defendant fined \$100. (F. D. C. No. 25594. Sample Nos. 22376-K, 22378-K, 22379-K, 22381-K, 22384-K, 22386-K.)

INFORMATION FILED: January 26, 1949, Northern District of Texas, against the Keene Pharmacal Co., a corporation, commonly known as Harold Lloyd's Prescriptions, Dallas, Tex., and against Harold A. Lloyd, president of the corporation, and Percy L. Stogsdill and John M. Hilsher, pharmacists.

INTERSTATE SHIPMENT: Between the approximate dates of January 28 and February 14, 1948, from Indianapolis, Ind., to Dallas, Tex., of quantities of *seconal sodium pulvules*.